IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.2551 OF 2004

Smt. Shantabai Dhondiba Shah & Ors..Petitioners

Versus

The Ichalkaranji Urban Co-op. Banbk
Ltd. & Ors. .....Respondents

Mr. P.B.Shah, for the Petitioner.
Mr. A.A. Kumbhakoni, for the Respondent NO.1.

CORAM: F.I. REBELLO, J.
DATE : 14th January, 2005

P.C.:

1. Petitioner contends that she has interest in the property which is being sold pursuant to a Recovery Certificate issued under the provisions of the Maharashtra Co-operative Societies Act. It is the contention of the petitioner also that she has filed objections under the M.C.S. Act and inspite of that the sale certificate has been issued.

2. The present suit is for a declaration and for an injunction. Once the petitioner has filed objections before the Competent Authority under the M.C.S. Act. If the petitioner is aggrieved by any such order it will be open to the petitioner to challenge the same in proceedings arising under that Act. Civil Court would not be the competent Court in these circumstances to grant the relief, atleast of injunction at this stage. In that light of the matter no interference called for. Petition rejected.

3. Learned Counsel seeks extension of status quo for four weeks. Application for continuation of status quo rejected.

. Parties/Authorities to act on an ordinary copy of this order duly authenticated by the Personal Secretary/Associate of this Corut.

(F.I.REBELLO, J.)